

Department of Agriculture

Notice of Intent to Adopt Regulations

In accordance with section 4-168(a) of the Connecticut General Statutes, notice is hereby given that the Milk Regulation Board, pursuant to the authority of section 22-133 of the Connecticut General Statutes, proposes to adopt regulations concerning the production, handling, processing, labeling, testing, storage, and transport of milk and milk products applicable to producers, processors, distributors, transporters, retailers and dealers of milk and milk products including cheese.

Statement of Purpose: To establish sanitation and quality standards for the production, handling, processing, labeling, testing, storage, and transport of milk and milk products, including cheese.

All interested persons are invited to submit written data, views or arguments in connection with the proposed action. Any comments must be received within thirty days following publication of this notice in the Connecticut Law Journal. Written comments may sent to the,

State of Connecticut

Department of Agriculture

165 Capitol Ave.

Hartford, CT 06106

Attention: Wayne Kasacek, Asst. Director, Bureau of Regulation and Inspection

Copies of the proposed regulation may be obtained by writing to the Department of Agriculture at the above address or by telephoning (860)713-2508. The proposed regulation may also be viewed by visiting the Department of Agriculture's internet website at <http://www.ct.gov/doag/> and clicking on "Proposed Regulations".

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STATE OF CONNECTICUT

REGULATION

of

NAME OF AGENCY

DEPARTMENT OF AGRICULTURE

Concerning

SUBJECT MATTER OF REGULATIONS

The Sanitation and Quality Standards for the
Production, Processing, Storage, Handling and
Distribution of Milk and Milk Products

Section 1. The Regulations of Connecticut State Agencies are amended by adding Sections 22-133-114 to 22-133-120, inclusive, as follows:

(NEW) Sec. 22-133-114. Standards for the production, processing, handling, bottling and storage of milk for pasteurization, pasteurized milk and milk products, ultra-pasteurized milk and milk products, aseptically processed milk and milk products, condensed milk, dry milk and dry milk products, non-standard fluid milk, standard fluid milk products and the manufacture of single service milk containers.

- (a) The following is incorporated by reference. The Pasteurized Milk Ordinance (PMO), Section 1, Sections 4 through 7, Section 10, Sections 12 through 14 and Appendices B, D through O and Q, Recommendations of the United States Public Health Service/Food and Drug Administration as amended from time to time.
- (b) The processing, storage and handling of aseptic milk and milk products shall comply with 21 CFR 113.
- (c) Cooling requirements for pasteurized milk and milk products, shall be those in section 22-194 of the Connecticut General Statutes. Milk for pasteurization shall be cooled to less than forty five degrees Fahrenheit within two hours of the completion of the first milking. Subsequent milkings shall be cooled to forty five degrees Fahrenheit or less within two hours of the completion of milking. Milk shall be further cooled to a storage temperature of forty degrees Fahrenheit or less within six hours of the completion of milking. The blend temperature after the first milking shall not exceed fifty degrees Fahrenheit.
- (d) Whenever three of the last five direct microscopic cell counts exceeds the standard established in section 22-133-114(a) of the Regulations of Connecticut State Agencies, the commissioner may require the producer to have all milking equipment inspected and repaired by a qualified serviceman and that the producer enroll the herd into the Connecticut Plan for the Eradication of Mastitis or follow an equivalent plan developed by a licensed veterinarian.
- (e) Intrastate dealers with a daily production of two hundred fifty pounds (250) or less shall comply with the following requirements:

All workers filling and capping shall wear hair covering and wash hands immediately prior to starting the filling operation;

- 2. Multiple use containers shall be washed, sanitized and drained no more than four hours prior to filling. Washing and sanitizing may be done in a three compartment sink or other apparatus acceptable to the commissioner;
- 3. Single service caps shall be sanitized immediately prior to use;
- 4. Filling shall be done using suitable stainless steel piping equipped with a positive shutoff valve. No dipping or ladling is permitted;
- 5. During filling, the pouring lip of the container shall be protected from overhead contamination by the use of a drip deflector installed on the filling device;
- 6. The exterior of filled and capped containers shall be rinsed with potable water or potable water treated with a sanitizer immediately prior to being put into cold storage;
- 7. Each filled container shall have the label affixed and the last sale date stamped or otherwise applied to the container before being transferred to a cooler or customer;

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**The Sanitation and Quality Standards for the
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Distribution of Milk and Milk Products**

8. Wet storage of filled containers is not permitted; and
9. The storage and construction of caps and containers shall conform to section 22-133-114(a) of the Regulations of Connecticut State Agencies.

(f) Intrastate dealers with a daily production of greater than two hundred fifty pounds (250) shall comply with the following requirements:

1. Filling and capping shall be done in a sanitary manner using a mechanical device approved by the commissioner;
2. All workers filling and capping shall wear hair covering and wash hands immediately prior to starting the filling operation;
3. Multiple use containers shall be washed, sanitized and drained no more than four hours prior to filling. Washing and sanitizing may be done in a three compartment sink or other apparatus acceptable to the commissioner;
4. The pouring lip of the container shall be protected from overhead contamination;
5. The exterior of filled and capped containers shall be rinsed with potable water or potable water treated with a sanitizer immediately prior to being placed into cold storage;
6. Each filled container shall have the label affixed and the last sale date stamped or otherwise applied to the container before being transferred to a cooler or customer;
7. Wet storage of filled containers is not permitted; and
8. The storage and construction of caps and containers shall conform to section 22-133-114(a) of the Regulations of Connecticut State Agencies.

The material incorporated by reference is available for public inspection and copying during business hours by contacting:

Connecticut Department of Agriculture
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(NEW) Sec. 22-133-115. Methods of Making Sanitation Ratings.

The following are incorporated by reference. Pasteurized Milk Ordinance Methods of Making Sanitation Ratings of Milk Supplies, Recommendations of the United States Public Health Service/Food and Drug Administration as amended from time to time.

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(NEW) Sec. 22-133-116. Procedures governing the participation of the Department of Agriculture in the National Interstate Milk Shippers Conference

- (a) The following are incorporated by reference. Pasteurized Milk Ordinance Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program of the National Conference on Interstate Milk Shipments, Recommendations of the United States Public Health Service/Food and Drug Administration as amended from time to time.
- (b) The commissioner of agriculture may appoint a designated agent from the department, knowledgeable in both public health matters and the production, processing and handling of milk and milk products, to attend the meetings of the National Conference on Interstate Milk Shipments. The commissioner's designated agent, in consultation with the commissioner, shall cast votes assigned to the state.

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The Sanitation and Quality Standards for the
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(NEW) Sec. 22-133-117. Standards for the production and manufacture of cheese.

- (a) The following are incorporated by reference as the standards for the production and manufacture of cheese. 21 CFR 110, Current Good Manufacturing Practice In Manufacturing, Packing, Or Holding Human Food and Code of Federal Regulations and 21 CFR 133 Cheeses And Related Cheese Products.
- (b) Soft un-ripened cheeses shall not have a coliform bacteria count in excess of ten per milliliter or gram.
- (c) Cheese shall be manufactured from milk which has been properly screened for the presence of drug residues or other inhibitors in accordance with section 22-203a of the Connecticut General Statutes and regulations promulgated pursuant to section 22-203c of the Connecticut General Statutes.

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(NEW) Sec. 22-133-118. Ricotta cheese, definitions for the purposes of section 22-133-119 of the Regulations of Connecticut State Agencies.

- (1) Whole milk ricotta cheese is the cheese prepared from milk, whey or a blend of these products, heated to a minimum temperature of one hundred eighty (180) degrees Fahrenheit. Salt and acidifying agents may be added to whole milk ricotta cheese, as well as other generally recognized safe and suitable ingredients as defined in 21 CFR 184. The finished whole milk ricotta cheese shall not contain more than eighty (80) percent moisture and not less than eleven (11) percent of milk fat.
- (2) Part-skim ricotta cheese is the cheese prepared from milk, whey or a blend of these products, heated to a minimum temperature of one hundred eighty (180) degrees Fahrenheit. Salt and acidifying agents may be added to part-skim ricotta cheese, as well as other generally recognized safe and suitable ingredients as defined in 21 CFR 184. The finished part-skim ricotta cheese shall not contain more than eighty (80) percent moisture and between six (6) and ten percent (10) milkfat.
- (3) Ricotta (Ricotone) is the cheese prepared from skim milk, whey or a blend of these products, heated to a minimum temperature of one hundred eighty (180) degrees Fahrenheit. Salt and acidifying agents may be added to ricotta cheese from whey or skim milk, as well as other generally recognized safe and suitable ingredients as defined in 21 CFR 184. The finished ricotta from whey or skim milk shall not contain more than eighty two point five (82.5) percent moisture and shall contain less than one percent (1) milkfat.

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(NEW) Sec. 22-133-119. Ricotta cheese, standards.

- (a) Each batch of ricotta cheese shall be monitored by the use of an indicating thermometer that complies with the Pasteurized Milk Ordinance, appendix H, indicating thermometers for batch pasteurization.
- (b) At the end of the heating period before the addition of an acidifying agent, each operator shall log the temperature of the milk. In addition to the temperature, the log shall contain the date, kettle or vat identification, batch number, amount, and the name of the operator.
- (c) Ricotta cheese may only be labeled as "pasteurized", if the milk has been properly pasteurized using approved equipment, in conformance with section 22-133-114 of the Regulations of Connecticut State Agencies.
- (d) The packaging, handling and storage of ricotta cheese shall comply with 21 CFR 110 Current Good Manufacturing Practice In Manufacturing, Packing, Or Holding Human Food.

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The Sanitation and Quality Standards for the
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(NEW) Sec. 22-133-120. Standards for the production and manufacture of butter.

The following are incorporated by reference as the standards for the production and manufacture of butter, 21 CFR 110, Current Good Manufacturing Practice In Manufacturing, Packing, Or Holding Human Food and 7 CFR 58, Grading And Inspection, General Specifications For Approved Plants And Standards For Grades Of Dairy Products.

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Distribution of Milk and Milk Products

Section 2. The Regulations of Connecticut State Agencies are amended by adding Section 22-133-121 and 22-133-122.

(NEW) Sec. 22-133-121. Operation of a depot or milk distribution facility. Definitions for the purposes of section 22-133-122 of the Regulations of Connecticut State Agencies.

- (1) "Depot" and "Distributor" means those businesses defined in section 22-205 of the Connecticut General Statutes as sub dealers and maintain facilities to store packaged milk and milk products for distribution. This shall not include those facilities that are part of a milk processing plant.
- (2) "Milk distribution facility" means those places where packaged milk is stored for distribution. This shall not include those facilities that are part of a milk processing plant.

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Distribution of Milk and Milk Products

(NEW) Sec. 22-133-122. Depot and milk distribution facility. Inspection and standards.

- (a) The following are incorporated by reference as the standards for the storage and handling of packaged milk and milk products at a depot. The Pasteurized Milk Ordinance (PMO), section 1, sections 4 and 6, section 7 items 1p, 2p, 3p, 4p, 5p, 6p, 7p, 8p, 9p, 15p, 20p, 21p, 22p and sections 12 through 14, Recommendations of the United States Public Health Service/Food and Drug Administration as amended from time to time.
- (b) The cooling requirements for packaged fluid milk and milk products, cottage cheese, butter, cream cheese, sour cream, yogurt, kefir and related dairy products at a milk distribution facility shall conform to section 22-194 of the Connecticut General Statutes.
- (c) Each milk distribution facility may be inspected annually by the department. A copy of the inspection report shall be retained at the milk distribution facility.

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Retail Milk Storage and Handling

Section 3. The Regulations of Connecticut State Agencies are amended by adding Section 22-133-123 and 22-133-124.

(NEW) Sec. 22-133-123. Retail Milk Storage and Handling. Definitions for the purposes of section 22-133-124 of the Regulations of Connecticut State Agencies.

“Store” means those places of business as defined in section 22-205 of the Connecticut General Statutes where milk is offered for sale to consumers.

“Refrigeration zone” means that area of a cooler or other area in which milk products are stored, which is actively cooled by a mechanical device.

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Retail Milk Storage and Handling

(NEW) Sec. 22-133-124. Cheese and milk product handling and storage at retail. Standards.

- (a) The cooling requirements for fluid milk products, cottage cheese, butter, cream cheese, sour cream, yogurt, kefir and related dairy products in stores shall conform to section 22-194 of the Connecticut General Statutes.
- (b) All coolers/refrigerators and display areas used for the storage or display of milk products and cheese shall be kept clean and free of odors, rodents and insects.
- (c) Milk products and cheese shall be received in a sanitary manner. The areas where milk products and cheese are received shall be clean and free of litter, rodents and insects.
- (d) Milk products shall be immediately put into refrigerated storage upon receipt.
- (e) Milk products shall only be sold to consumers in the original container.
- (f) The manufacturer's last sale date or expiration date shall not be altered in any way.
- (g) No milk product or cheese labeled with the words "keep refrigerated" or is otherwise required to be refrigerated, shall be stored outside the refrigeration zone of any cooler, display case or refrigerator.
- (h) Returned fluid milk products shall not be offered for re-sale, shall be kept cooled, stored in an area separate from other foods being offered for sale, and clearly marked with the words "Returns" or "Not for Sale". Returned cheese shall not be offered for re-sale, shall be stored in an area separate from other foods being offered for sale, and clearly marked with the words "Returns" or "Not for Sale".

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Retail Raw Milk and Raw Milk Cheeses

Section 4. The Regulations of Connecticut State Agencies are amended by adding Sections 22-133-125 to 22-133-132, inclusive, as follows:

(NEW) Sec. 22-133-125. Retail raw milk, definitions for the purposes of sections 22-133-126 through 22-133-132 inclusive, of the Regulations of Connecticut State Agencies.

- (1) "Facility", "Farm" and "Premises" means any place where one (1) or more lactating goat, cow or sheep are kept for milking purposes.
- (2) "Herd" is defined as one (1) or more cows, goats or sheep which are kept for milking purposes.
- (3) "Retail raw milk" is the milk from one (1) or more healthy lactating goat, cow or sheep, practically free of colostrum, intended for human consumption in an un-pasteurized state.
- (4) "Retail raw milk cheese" means any aged hard cheese manufactured from retail raw milk which has not undergone the process known as pasteurization. Retail raw milk cheese may contain generally recognized safe and suitable ingredients as defined in 21 CFR 184.
- (5) "Retail raw milk handler" means any person engaged in the handling of retail raw milk and retail raw milk cheese during any phase of production, packaging or manufacture including the handling of milk aged animals.
- (6) "Retail raw milk producer" means any person, firm, partnership, association, company, corporation, limited liability company or other entity that maintains a herd of animals whose milk is intended for human consumption in an un-pasteurized state and whose milk is provided for human consumption, sold, offered for sale or otherwise disposed of away from the premises where it was produced.
- (7) "Retail raw milk cheese manufacturer" means any person, firm, partnership, association, company, corporation, limited liability company or other entity that manufacture's retail raw milk into retail raw milk cheese intended for human consumption whose retail raw milk cheese is sold, offered for sale or otherwise disposed of away from the premises where it was manufactured.

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Retail Raw Milk and Raw Milk Cheeses

(NEW) 22-133-126. Retail raw milk, cooling, storage, and cleaning, standards.

- (a) Each tank or bulk storage container shall be cleaned and sanitized every forty-eight hours.
- (b) After cleaning, the first milking into an empty tank or bulk storage container shall be cooled to forty degrees (40) Fahrenheit or less within three hours of the completion of milking. Subsequent milkings shall be cooled to forty degrees (40) Fahrenheit or less within two hours of the completion of milking. The blend temperature after the first milking shall not exceed fifty (50) degrees Fahrenheit.
- (c) The procedures, handling, equipment and facilities used in the production and sale of retail raw milk shall comply with section 22-133-114 of the Regulations of Connecticut State Agencies, except as modified by sections 22-133-125 through 22-133-132 of the Regulations of Connecticut State Agencies.

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Retail Raw Milk and Raw Milk Cheeses

(NEW) Sec. 22-133-127. Retail raw milk, herd health, standards.

- (a) Retail raw milk producers shall maintain a current and ongoing patient/client relationship with an accredited large animal veterinarian registered to practice in the State of Connecticut.
- (b) Retail raw milk producers shall, at the time of application for a permit and annually thereafter the retail raw milk producer shall have a licensed veterinarian perform a physical examination of all milking age animals. The results of the examination shall be recorded on forms furnished by the department and shall be available for inspection.
- (c) Herds shall be tested annually for brucellosis and tuberculosis. Such testing shall be conducted in accordance with sections 22-287, 22-298 and 22-304 of the Connecticut General Statutes.
- (d) The milk ring test for the detection of *Brucella* spp. shall be administered monthly to each herd.
- (e) Each herd producing retail raw milk shall be enrolled in the Connecticut Plan for the Eradication of Mastitis.
- (f) The results of all herd testing required by this section shall be reported to the Commissioner.

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Retail Raw Milk and Raw Milk Cheeses

(NEW) Sec. 22-133-128. Retail raw milk handler, health standards.

- (a) The personnel health of retail raw milk handlers and the procedures used to prevent the transmission of diseases that are transmissible through food shall conform to sections 13 and 14 of the Pasteurized Milk Ordinance (PMO), Recommendations of the United States Public Health Service/Food and Drug Administration as amended from time to time.
- (b) Any retail raw milk handler with a communicable disease is prohibited from handling milk.

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Retail Raw Milk and Raw Milk Cheeses

(NEW) Sec. 22-133-129. Retail raw milk, filling, capping and container, standards.

(a) Retail raw milk producers with a daily production of two hundred fifty pounds (250) or less shall comply with the following requirements:

- All workers filling and capping shall wear hair covering and wash hands immediately prior to starting the filling operation;
2. Multiple use containers shall be washed, sanitized and drained no more than four hours prior to filling. Washing and sanitizing may be done in a three compartment sink or other apparatus acceptable to the commissioner;
3. Single service caps shall be sanitized immediately prior to use;
4. Filling shall be done using suitable stainless steel piping equipped with a positive shutoff valve. No dipping or ladling is permitted;
5. During filling, the pouring lip of the container shall be protected from overhead contamination by the use of a drip deflector installed on the filling device;
6. The exterior of filled and capped containers shall be rinsed with potable water or potable water treated with a sanitizer;
7. Each filled container shall have the label affixed and the last sale date stamped or otherwise applied to the container before being transferred to a cooler or customer;
8. Wet storage of filled containers is not permitted; and
9. The storage and construction of caps and containers shall conform to section 22-133-114(a) of the Regulations of Connecticut State Agencies.

(b) Retail raw producers with a daily production of greater than two hundred fifty pounds (250) shall comply with the following requirements:

- 1 Filling and capping shall be done in a sanitary manner using a mechanical device approved by the commissioner;
2. All workers filling and capping shall wear hair covering and wash hands immediately prior to starting the filling operation;
3. Multiple use containers shall be washed, sanitized and drained no more than four hours prior to filling. Washing and sanitizing may be done in a three compartment sink or other apparatus acceptable to the commissioner;
4. The pouring lip of the container shall be protected from overhead contamination;
5. The exterior of filled and capped containers shall be rinsed with potable water or potable water treated with a sanitizer;
6. Each filled container shall have the label affixed and the last sale date stamped or otherwise applied to the container before being transferred to a cooler or customer;
7. Wet storage of filled containers is not permitted; and
8. The storage and construction of caps and containers shall conform to section 22-133-114(a) of the Regulations of Connecticut State Agencies.

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Retail Raw Milk and Raw Milk Cheeses

(NEW) Sec. 22-133-130. Retail raw milk cheese, production and manufacture. Standards.

- (a) The standards, facilities, production and sale of retail raw milk cheese shall comply with the requirements for the manufacture of cheese contained in 22-133-117 of the Regulations of Connecticut State Agencies, except as modified by sections 22-133-125 through 22-133-131, of the Regulations of Connecticut State Agencies.
- (b) All retail raw milk cheese shall be aged a minimum of sixty days at a temperature of not less than thirty five (35) degrees Fahrenheit.
- (c) The manufacturing of retail raw milk cheese shall only conducted on those premises which have a valid permit from the commissioner to produce retail raw milk.
- (d) Two self closing doors with a clean area between them shall separate the areas used to process, hold, age and package retail raw milk cheese from milking areas, animal housing areas, toilet facilities and other areas used for domestic purposes.
- (e) The retail raw milk cheese manufacturer shall identify each individual cheese made. The system to identify each cheese shall use consecutive numbers and include the date of manufacture as part of the identification. Each retail raw milk cheese manufacturer shall keep records of production. These records shall include the date, the amount of milk used in that day's production, the kind(s) of cheese produced, the amount of each type of cheese produced and the identification number of each individual cheese. The records shall be kept on the premises and shall be available for inspection.

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(NEW) Sec. 22-133-131. Retail raw milk and retail raw milk cheese, quality standards.

- (a) The standard plate count of retail raw milk shall not exceed thirty thousand (30,000) colonies per milliliter.
- (b) The thermophilic bacteria count (lab pasteurized count) of retail raw milk shall not exceed one thousand (1,000) colonies per milliliter.
- (c) The somatic cell count of retail raw milk shall conform to the standards established in section seven (7), Pasteurized Milk Ordinance (PMO), Recommendations of the United States Public Health Service/Food and Drug Administration as amended from time to time.
- (d) The coliform bacteria count of retail raw milk shall not exceed fifty (50) per milliliter.
- (e) There shall be no detectable presence of human pathogens in retail raw milk and retail raw milk cheese, including but not limited to: *Bacillus cereus*, *Listeria monocytogenes*, *Yersinia enterocolitica*, *Salmonella* spp., *Escherichia coli* O157:H7, *Clostridium botulinum* and *Campylobacter jejuni*.
- (f) No water shall be added to retail raw milk.
- (g) Retail raw milk shall be kept cooled and stored at a temperature of forty (40) degrees Fahrenheit or less.
- (h) No drug residues or other inhibitory substances at or above the tolerance levels for drugs or other inhibitors established by the US Food and Drug Administration. Drug or other inhibitor use shall conform to section 22-203c-8 of the Regulations of Connecticut State Agencies.
- (i) The coliform bacteria count of retail raw milk cheese shall not exceed one hundred fifty (150) per milliliter or gram.

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Retail Raw Milk and Raw Milk Cheeses

(NEW) Sec. 22-133-132. Retail raw milk and retail raw milk cheese. Sampling frequency, notification, investigations, recalls and enforcement.

- (a) The commissioner or the commissioner's designated agent may collect samples of retail raw milk and retail raw milk cheese produced once per month. Sampling frequency may be increased whenever the commissioner or the commissioner's designated agent has a valid reason to increase the sampling frequency or whenever a standard established in section 22-133-131 of the Regulations of Connecticut State Agencies has been violated.
- (b) The tests conducted on retail raw milk and retail raw milk cheese include but are not limited to: the standard plate count; the direct microscopic cell count; the detection of drugs and other inhibitors; detection of human pathogens; and the coliform bacteria count.
- (c) Upon receipt of notification that retail raw milk or retail raw milk cheese violates the standards established in section 22-133-131 of the Regulations of Connecticut State Agencies, the producer shall investigate the cause of the violation and prepare a written explanation, describing the cause and the corrective action taken. The written explanation and description of the corrective actions taken shall be completed within fifteen (15) days of the notification and kept on file by the retail raw milk producer or retail raw milk cheese manufacturer for one year and shall be available for inspection.
- (d) In addition to section 22-133-132(c) of the Regulations of Connecticut State Agencies, whenever retail raw milk or retail raw milk cheese is found to have a coliform colony count exceeding one hundred fifty (150) colonies per milliliter (ml) the commissioner may immediately suspend the retail raw milk producer's permit or the retail raw milk cheese manufacturer's permit. The permit shall remain suspended until an investigation by the commissioner or the commissioner's designated agent determines the retail raw milk or retail raw milk cheese produced at that facility complies with sections 22-133-125 through 22-133-131, of the Regulations of Connecticut State Agencies.
- (e) In addition to sections 22-133-132(c) and 22-133-132(d) of the Regulations of Connecticut State Agencies, the confirmed presence of human pathogens in retail raw milk cheese shall be considered an imminent public health threat. The commissioner shall prevent the sale and cause to be destroyed all contaminated retail raw milk or retail raw milk cheese in accordance with section 22-129 and 22-129a of the Connecticut General Statutes. The producer may be required to initiate a product recall. The retail raw milk producer or retail raw milk cheese manufacturer shall make available to the commissioner or the commissioner's designated agent the names and contact information of all known consumers, distributors and retail sales outlets.

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STATE OF CONNECTICUT
REGULATION

of

NAME OF AGENCY

DEPARTMENT OF AGRICULTURE

Concerning

SUBJECT MATTER OF REGULATIONS

The labeling of Milk, Retail Raw Milk, Raw Milk
Cheese, Milk Products and Cheese

Section 5. The Regulations of Connecticut State Agencies are amended by adding Sections 22-133-133 to 22-133-134, inclusive, as follows:

(NEW) 22-133-133. Milk, yogurt, cottage cheese, cream cheese, kefir, butter, milk products, non-standard milk products, standard milk products, retail raw milk, retail raw milk cheese and cheese. Labeling standards.

- (a) Labeling shall comply with 21 CFR 101 Food Labeling.
- (b) The manufacturer shall conspicuously label the last sale date on each container in contrasting color with the contents or the label.
- (c) The last sale date shall be expressed as "sell by", "last sale date" or "must be sold by".
- (d) All labels shall be submitted to the commissioner for approval a minimum of thirty (30) days prior to use. No label shall be used until approved by the commissioner or the commissioner's designated agent.

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(NEW) 22-133-134. Retail Raw Milk. Labeling.

(a) In addition to section 22-133-133 of the regulations of Connecticut State Agencies, retail raw milk labels shall comply with the following requirements:

- (1) The name of the food "Raw Cow's Milk", "Raw Sheep Milk" or "Raw Goat's Milk" as is appropriate, shall be plainly labeled;
- (2) The label shall contain the name, address and zip code of the producing farm;
- (3) The consumer shall be informed of the risks involved with the consumption of raw or undercooked animal food by conspicuously labeling each container with the following advisory statement "Raw milk is not pasteurized, pasteurization destroys organisms that may be harmful to human health." The advisory statement shall be legible, in contrasting color from the label or contents and in type of no less one sixteenth of an inch in height. The advisory statement shall be part of the label affixed to the container or printed on hangtags attached to the container;
- (4) Each container shall be labeled with a last sale date. The last sale date shall be expressed as "sell by", "last sale date" or "must be sold by";
- (5) The last sale date shall be a maximum of seven (7) days from the date of bottling and calculated by adding seven (7) days to the date the milk was bottled;
- (6) Retail raw milk shall only be sold in original containers; and
- (7) No label shall contain mis-leading information regarding the nutrition or health benefit of retail raw milk.

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Cheese, Milk Products and Cheese

Section 6

Sections 22-133-1 to 22-133-60 inclusive, sections 22-133-65 to 22-133-67 inclusive, 22-133-74 through 22-133-113d inclusive, sections 22-162a-1 to 22-162a-5 inclusive, sections 22-195-1 to 22-195-11 inclusive, sections 22-197b-1 to 22-197b-6 inclusive, of the Regulations of Connecticut State Agencies is repealed.

Statement of Purpose: Modernize milk and milk product regulations, be consistent with federal and regional regulations. Establish standards for the production, sanitation, handling, storage, cooling, distribution, processing and labeling of milk and milk products, retail raw milk, butter and cheese. Establish a consumer advisory for the consumption of raw animal products compatible and consistent with the Connecticut Public Health Code and Federal Food Code.